



Sullivan & Worcester LLP  
1633 Broadway  
New York, NY 10019

T 212 660 3000  
F 212 660 3001  
[www.sandw.com](http://www.sandw.com)

April 29, 2015

Via ECF

The Hon. Sarah Netburn  
United States Magistrate Judge  
Thurgood Marshall Courthouse  
40 Foley Square, Room 430  
New York, NY 10007

Re: *The Export-Import Bank of the Republic of China v. République du Niger, 97 CIV 3090 (LAK)*

---

Dear Judge Netburn:

We represent judgment creditor The Export-Import Bank of the Republic of China (“Ex-Im Bank”). We write to request a further stay of the Court’s March 19, 2015 order (the “Order”), granting in part and denying in part Ex-Im Bank’s motion to compel and for sanctions, and all deadlines for submissions to the Court set forth in the Order. The Order is currently stayed until today, pursuant to Your Honor’s March 30, 2015 Memo Endorsement. We note that the Memo Endorsement states that “[a]bsent compelling grounds, the Court will not grant a further extension of this deadline.” However, as set forth below, we believe that compelling grounds for an extension now exist.

On April 16 and 17, settlement discussions between Ex-Im Bank and Niger were held in Paris. Niger sent two high level representatives of its new government and was represented by Holman Fenwick Willan. As a result of those discussions, on April 17, Ex-Im Bank and Niger signed a memorandum of understanding, memorializing terms of settlement between the parties. The parties are now working toward entering into a final settlement agreement. This is the most substantial progress that has been made in the matter in over 16 years. There are still certain details to be finalized, and the agreement has to be ratified by both parties. However, we are optimistic that this will happen; and that it can be accomplished in the next 30 days or so.

Therefore, we respectfully request that the Court grant a further stay of all deadlines set forth in the Order until June 1, 2015 to allow the parties sufficient time to attempt to finalize and ratify settlement of the matter.

We are of course available to address any questions that the Court may have on the matter, in person, by telephone, or by letter.

Respectfully submitted,

/s/ Paul E. Summit

Paul E. Summit

cc: Christopher Swart, Esq., of Holman Fenwick Willan, counsel to Niger